

#### REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

The rejected claims have been cancelled in favor of new Claim 5 in order to clarify the manner in which the invention distinguishes patentably from the prior art.

Taylor (4,027,136), the reference relied upon in the rejection under 35 U.S.C. § 102(b) and the principal reference relied upon in the rejection under 35 U.S.C. § 103(a), does not teach or suggest the invention recited in Claim 5.

Taylor discloses a welding device in which a collet is formed of relatively thin sheet metal and is effective to properly orient a fastener relative to a workpiece surface while minimizing the occurrence of arcing in the area between the collet and an arc shield. Taylor does not address the problem of preventing electrical contact between a pointed region of a collet and a workpiece to which a stud is to be welded.

Taylor relies upon Ettinger et al. (3,582,602) for a description of the detailed mode of operation of the Taylor welding device. See column 2, lines 39-41, and 55-65; and column 3, lines 7-11 of Taylor. As described in Ettinger et al, the button B projects a predetermined distance beyond shield 36. After the button B is brought against a panel P, to which the button is to be welded and the welding gun is urged toward the panel, relative movement occurs between the electrode assembly 22 and the support 20 until the shield

abuts the panel P. Thereupon a switch is actuated to supply welding current. See column 4, line 72 to column 5, line 46. To reiterate in Ettinger et al., and therefore in Taylor, the shield moves relative to the button holder (collet).

To the contrary, in the invention recited in Claim 5, which is intended to prevent electrical contact between the pointed region of the stud holder and a component to which the stud is to be welded, the insulating spacing means (e.g., shield) is fixed relative to the stud holder, with the pointed region of the stud holder always remaining behind the rim of the spacing means.

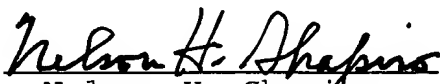
Accordingly, Claim 5 distinguishes patentably from the prior art and should be allowed.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

NHS:lmb

Miles & Stockbridge P.C.  
1751 Pinnacle Drive  
Suite 500  
McLean, Virginia 22102  
(703) 903-9000

By:   
Nelson H. Shapiro  
Reg. No. 17,095

November 29, 2004